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75628 7590 08/09/2010

RANKIN, HILL & CLARK LLP
23755 LORAIN ROAD, SUITE 200
NORTH OLMSTED, OH 44070

EXAMINER

BELANI, KISHIN G

ART UNIT

PAPER NUMBER

2443

DATE MAILED: 08/09/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,973

02/22/2006

Michael J. Pabst

WDL-18975

3845

TITLE OF INVENTION: METHOD AND DEVICE FOR SETTING UP A VIRTUAL ELECTRONIC TEACHING SYSTEM WITH INDIVIDUAL INTERACTIVE COMMUNICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	11/09/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

75628 7590 08/09/2010

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/568,973 02/22/2006 Michael J. Pabst WDL-18975 3845

TITLE OF INVENTION: METHOD AND DEVICE FOR SETTING UP A VIRTUAL ELECTRONIC TEACHING SYSTEM WITH INDIVIDUAL INTERACTIVE COMMUNICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional YES \$755 \$300 \$0 \$1055 11/09/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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BELANI, KISHIN G 2443 709-219000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,973	02/22/2006	Michael J. Pabst	WDL-18975	3845
75628	7590	08/09/2010	EXAMINER	
RANKIN, HILL & CLARK LLP 23755 LORAIN ROAD, SUITE 200 NORTH OLMSTED, OH 44070			BELANI, KISHIN G	
			ART UNIT	PAPER NUMBER
			2443	
DATE MAILED: 08/09/2010				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 650 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 650 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	10/568,973	PABST, MICHAEL J.	
	Examiner	Art Unit	
	KISHIN G. BELANI	2443	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/02/2010.
2. ☒ The allowed claim(s) is/are 15,16 and 19-29.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/George C Neurauter, Jr./
Primary Examiner, Art Unit 2443

/Kishin G Belani/
Examiner, Art Unit 2443

DETAILED ACTION

This action is in response to Applicant's amendment filed on 06/02/2010.

Independent claims 15 and 20 and dependent claims 16, 19, 21-25 and 27 have been amended. Dependent claims 17 and 18 have been cancelled. Claims 15, 16 and 19-29 are now pending in the present application. **Claims 15, 16 and 19-29 are allowable.**

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview and subsequent e-mail message sent on 07/27/2010 (10:28 A.M. EST) by Mr. Randolph E. Digges III, registration number 40,590.

PROPOSED EXAMINER'S AMENDMENT

Claims 15 and 20 would be amended as follows:

Claim 15 (currently amended): A method for establishing a connection between a virtual electronic teaching system having a central content-server for an e-learning or tele-teaching event and a workstation of a person participating in the e-learning or

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tele-teaching event utilizing a telecommunication network having a main distribution connected to an exchange with an access multiplexer or a splitter connected to or integrated in the main distribution and an analog or digital telecommunication device, the method comprising:

connecting an interface circuit to the telecommunication device or to the workstation, the interface circuit including a memory unit and a microprocessor;

registering the interface circuit to the content-server by means of a log-in procedure stored in the memory unit, the interface circuit registering vicariously for the telecommunications device;

establishing a connection between the interface circuit and the content-server vicarious for the telecommunication device connected to said main distribution;

determining a type of connection pending on the communications interface of the interface circuit;

transmitting at least one stored test signal from the memory unit of the interface circuit to the content-server;

evaluating an acknowledgement received by the interface circuit from the content-server in response to the test signal;

testing at least a bandwidth available to the telecommunication device using the interface circuit;

testing all available protocols in communication with said content-server using the interface circuit;

adjusting the interface circuit to a protocol proposed by the content-server; and

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preventing "time out"-problems by emitting a message from the interface circuit confirming the complete reception of an image file from the content-server such that said workstation remains connected to said e-learning or tele-teaching event including during periods when broadband transmission is not possible.

Claim 20 (currently amended): A virtual electronic teaching system comprising:

- a central content-server for an e-learning or tele-teaching event;
- a workstation of a person participating in the e-learning or tele-teaching event;
- a telecommunication network connected to said content-server, the telecommunication network including a main distribution connected to an exchange and an access multiplexer or a splitter connected to or integrated in the main distribution;
- an analog or digital telecommunication device; and
- an interface circuit connected to the telecommunication device, the interface circuit having a memory unit and a microprocessor;

wherein a first end of said interface circuit is connected to the main distribution and a second end of said interface circuit is connected to said workstation, and

wherein the interface circuit is connected via at least a standardized interface vicarious for said telecommunication device and registers itself to said content-server by means of a log-in procedure stored in the memory unit, and automatically tests at least a bandwidth available to the telecommunication device and all available protocols in communication with said content-server as a remote station and adjusts itself to a protocol proposed by said remote station by transmitting at least one test signal stored

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in the memory unit to said content-server so that said interface circuit prevents "time out" problems by indicating the complete reception of an image file such that said workstation remains connected to said e-learning or tele-teaching event including during periods when broadband transmission is not possible.

Allowable Subject Matter

Amended independent claims 15 and 20 are allowable. The following is a statement of reasons for the indication of allowable subject matter:

Consider method **claim 15**. None of the prior art of the record teaches or fairly suggests all of the claimed limitation of the invention. The best prior art found during the examination of the present application, **Murray et al. (U.S. Patent Publication # 6,356,943)** in view of **Redfern (US Patent Publication # 7,313,130 B2)** and further in view of **Lawrence (US Patent Publication # 6,825,196 B1)** and further in view of **Kukic (US Patent Application Publication # 2003/0169780 A1)** and further in view of **Kloninger et al. (US Patent Application Publication # 2004/0073596 A1)** and further in view of **Hughes et al. (US Patent Publication # 6,434,612 B1)** and further in view of **Moutafov (US Patent Application Publication # 2003/0225889 A1)** fail to specifically disclose the limitation of "testing all available protocols in communication with the content server, adjusting the interface circuit to a protocol proposed by the content server, and preventing "time out" problems by emitting a message from the interface circuit confirming the complete reception of an image file from the content server such

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that the receiving workstation remains connected to the e-learning or tele-teaching event including during periods when broadband transmission is not possible.'

Since all the features of **claim 15** are not disclosed by any of the best available prior art, either alone or in any combination, the examiner considers **claim 15 to be novel and non-obvious and therefore allowable**.

Dependent claims 16 and 19 are also allowable because they inherit all the features of the allowable base claim 15 and include additional limitations of their own.

Independent system claim 20 also recites the same features that makes claim 15 allowable, and is therefore allowable for the same reasons listed above for claim 15.

Dependent claims 21-29 inherit all the features of the allowable base claim 20 and include additional limitations of their own. They are, therefore, also considered allowable.

Conclusion

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
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Art Unit: 2443

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Art Unit: 2443

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kishin G. Belani whose telephone number is (571) 270-1768. The Examiner can normally be reached on Monday-Friday from 6:00 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tonia Dollinger can be reached on (571) 272-4170. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-0800.

/K. G. B./
Examiner, Art Unit 2443
July 21, 2010

/George C Neurauter, Jr./
Primary Examiner, Art Unit 2443